

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

JULIA PAIGE MCENTIRE,

Plaintiff,

v.

THE BUDD GROUP, INC. AND SAINT
JAMES PLANTATION, LLC,

Defendants.

Civil Action No. 7:13-CV-00166-BR

JOINT RULE 26(f) REPORT AND DISCOVERY PLAN

1. Rule 26(f) Conference

Pursuant to Fed. R. Civ. P. 26(f) and the Court's Order for Discovery Plan filed on November 1, 2013, a meeting was held by telephone and the parties confirmed and agreed on December 2, 2013, upon the following Joint Rule 26(f) Report and Discovery Plan.

Participating in the Rule 26(f) conference were:

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Plaintiff, Pro se

KILPATRICK TOWNSEND
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Attorney for Defendant The Budd Group, Inc.

2. Initial Disclosures

The parties will make initial disclosures required by Rule 26(a) by December 20, 2013.

3. Discovery Plan

The parties jointly propose to the court the following discovery plan:

A. Plaintiff purports to bring an action pursuant to Title VII of the Civil Rights Act of 1964 based on alleged discrimination. The jurisdiction of this court is invoked pursuant to 42 U.S.C. § 2000e-5. Discovery will be needed on all aspects of the case, including the allegations raised by Plaintiff and the defenses proffered by Defendant. There is no need for discovery to be conducted in phases or limited to particular issues.

B. The parties do not anticipate the need for extensive discovery of data or information that is stored in an electronic format. To the extent that information or data is stored electronically, the party from whom the data is requested will not be obligated to produce such information or data if it is not reasonably accessible because it would result in undue burden or cost to the party. In such circumstances, the party asserting that data is not reasonably accessible shall provide to the other party an explanation of why the information is not reasonably accessible and of the undue burden or cost associated with retrieving the data. If the party requesting the information still insists on its production, the parties shall attempt to reach an agreement on sharing the cost of retrieving such data prior to bringing a motion to compel with the Court.

C. The parties have agreed that to the extent there needs to be protection of any information exchanged, they will enter into a consent order regarding the protection of confidential information produced in response to discovery requests. The parties will agree to maintain the confidentiality of medical records, financial records, employment records, business records, and other documents designated as confidential by the parties.

D. All discovery commenced in time to be concluded and responded to by June 2, 2014.

E. The parties propose the following categories of discovery with limitations, if any:

- (1) Interrogatories: maximum of 25, including discrete subparts, by each party to any other party.
- (2) Request for Production of Documents: maximum of 25, including subparts, by each party to any other party.
- (3) Requests for Admission: a maximum of 25, including subparts, by each party to any other party.
- (4) Depositions: a maximum of 6 depositions to be conducted by each party. All depositions are limited to a maximum length of 7 hours, unless extended by the agreement of the parties.
- (5) Reports from retained experts under Rule 26(a)(2) due by the Plaintiff on or before May 1, 2014 and by the Defendant on or before May 15, 2014.
- (6) Supplementations under Rule 26(e) due by June 2, 2014.

4. Other Items.

A. The parties do not request a conference with the court before entry of the scheduling order.

B. The parties request a pretrial conference date 14 days before the date set for trial.

C. All parties must be joined on or before January 15, 2014.

D. The parties agree that Motions to Amend shall be governed by Rule 15 of the Federal Rules of Civil Procedure and filed by January 15, 2014. After that date, the Court will consider whether the granting of leave would delay trial.

E. All potentially dispositive motions shall be filed within thirty days after the close of discovery.

F. The parties have not yet determined whether settlement is appropriate or likely. However, the parties agree to schedule mediation during discovery at a mutually agreeable time near the completion of discovery.

G. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from plaintiff and defendant thirty days before trial.

H. Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

I. The parties believe the case will be ready for trial by September 1, 2014, but request that the trial date be set no earlier than 60 days following decision by the Court on any dispositive motions filed by the parties. A jury trial has been demanded.

The parties believe at this time that the trial will take approximately four days, including jury selection.

J. The parties do not consent to having this matter heard by a Magistrate Judge.

This the 11th day of December, 2013.

/s/ Corena A. Norris-McCluney
Corena A. Norris-McCluney NCSB #29366
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Attorney for Defendant The Budd Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2013, I electronically filed the foregoing **JOINT RULE 26(f) REPORT AND DISCOVERY PLAN** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following registered users:

None

and I hereby certify that I have mailed the document to the following non CM/ECF participants:

Julia Paige McEntire
P.O. Box 356
Warsaw, KY 41095

Respectfully submitted,

/s/ Corena A. Norris-McCluney
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